

Matter of Doelze
Del. Supr. No. 22, 2002 (1/31/02)
Board Case No. 52, 2000

Disciplinary Rules Involved: DLRPC 8.4(c)

Sanctions Imposed: Public Reprimand.

The Delaware Supreme Court (the “Court”) approved the findings and recommendations of the Board on Professional Responsibility (the “Board”), and has imposed the sanction of a public reprimand on Kurt J. Doelze, a member of the bar since 1977. Mr. Doelze and the Office of Disciplinary Counsel (the “ODC”) presented a joint stipulation of facts and Rule violation to the Board and a joint recommendation of the sanction of a public reprimand.

The sanction of a public reprimand was imposed on Mr. Doelze based on his ethical misconduct in violation of Rule 8.4(c) of the Delaware Lawyers’ Rules of Professional Conduct (the “Rules”). Rule 8.4(c) states that it is professional misconduct for a lawyer to “engage in conduct involving dishonesty, fraud, deceit, or misrepresentation.” The Court approved the Board’s finding that Mr. Doelze had engaged in falsely notarizing documents in the course of representing a domestic relations client. A public reprimand was deemed appropriate in light of the duty violated and consideration of aggravating and mitigating circumstances.

Mr. Doelze, a solo practitioner with a limited practice in the Wilmington and Rehoboth Beach areas, was retained to represent a client in a domestic relations matter. During the relevant time period, Mr. Doelze was establishing a residence in Washington, D.C. During the course of the representation, Mr. Doelze falsely swore that he had witnessed his client’s signature on two documents prior to his client ever signing those documents.

In determining the appropriate sanction for the Rule violation, the following factors were considered in aggravation: Mr. Doelze’s substantial experience in the practice of law; a prior private admonition received by Mr. Doelze in April 1993 for similar misconduct (“the practice of falsely notarizing various documents.”). The following factors were considered in mitigation: Mr. Doelze’s conduct did not reflect a selfish motive; he fully cooperated with the ODC investigation; and he demonstrated remorse for his conduct.

Mr. Doelze is ordered to pay the costs of the disciplinary proceedings.